IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2746 OF 2003
IN
SUIT NO. 3542 OF 1998

Ashok K. Java & Ors. ..Plaintiffs.

Versus

Prem K. Java & Ors. ..Defendants.

Mr.S.Joshi i/by Lokhandwala & Co. for the Plaintiffs.

None for the defendants.

CORAM : S. J. VAZIFDAR, J.
DATED : 25TH NOVEMBER,2005.

P.C.:

1. By an order dated 21st June, 2001 it was recorded that from out of the rent of Rs.47,250/- payable by the Bank for the suit premises, it was agreed amongst the members of the family that the mother of the plaintiffs and defendant Nos. 1 and 6 was to be paid an amount of Rs.5,000/-. By the said order directions were also issued regarding the balance amount after deducting the said sum of Rs.5,000/-. With the latter directions we are not concerned for the purpose of this notice of motion.

2. The mother expired on 4th February, 2003.

3. In the circumstances, the Bank defendant No.9

is directed to deposit the said sum of Rs.5000/- payable to the mother in this court from time to time. The bank is also directed to deposit the arrears of the amounts payable to the mother, if any, in this court.

4. Liberty to the parties to apply regarding disbursement of the sum of Rs.5000/-.

5. Notice of motion is accordingly disposed of.

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